THE CASE OF THE ARMIE

Truly ſtated, together with the miſchiefes and dangers that are imminent, and ſome ſutable remedies,

Humbly propoſed by the Agents of five Regiments of Horſe, to their reſpective Regiments, and the whole Army.

As it was preſented by Mr. *Edmond Bear*, and Mr. *William Ruſſell*, October 15. 1647. unto his Excellency,

Sir Thomas Fairfax.

Encloſed in a Letter from the ſaid Agents: Alſo his Excellencies Honourable Anſwer thereunto.

Deut. 20. 8. *What man is there that is fearefull and faint hearted? let him go and returne unto his Houſe, leaſt his brethrens heart faint as well as his heart.*

Judg. 7. 7. *And the Lord ſaid unto* Gideon, *by the three hundred men that lapped, will I ſave you, and deliver the* Midianites *into thine hand, and let all the other people go, every man unto his place.*

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The Case of the Army truly stated, together with the mischiefes and dangers that are imminent, and some suitable remedies, Humbly proposed by the Agents of five Regiments of Horse, to the respective Regiments and the whole Army.

WHereas the grievances, dissatisfactions, and desires of the Army, both as Commoners and Soldiers, hath been many months since represented to the Parliament; and the Army hath waited with much patience, to see their common grievances redressed and the rights and freedomes of the Nation, cleared and secured; yet, upon a most serious and conscientious view of our Narratives, Representations, Ingagements, Declarations, Remonstrances, and compairing with those the present state of the Army and Kingdome, and the present manner of actings of many at the Head Quarters, we not only apprehend nothing to have been done effectually, either for the Army or the poore oppressed people of the nation, but we also conceive, that there is little probabillitie of any good, without some more speedy and vigorous actings.

In respect of the Army, there hath been hitherto no publique vindication thereof, about their first Petition, answerable to the Ignominie, by declaring them enemies to the State, & disturbers of the peace. No publike clearing nor repairing of the credit of the Officers, sent for about that petition as Delinquents: No provision for Apprentizess Widowes, Orphans, or maimed Souldiers, answerable to our reasonable addresses, propounded in their behalf: No such Indempnitie, as provided security, for the quiet, ease, or safety of the Soldiers, disbanded, or to be disbanded. No securitie for

a Vid. The copy of the grievances presented to the Parliaments Commissioners at *Soffron Walden.*

b Vid. the Representation of the Armies dissatisfactions, agreed on upon *June* 4. & 5. pag. 17, 18, 19, 20, 21. where these

were represented: the ground of the solemn Engagement.

a Viz. the declaration of Jn. 14 p. 6. 9.

b Viz. the Remonst. of Jun. 23. pag. 6 7. Its mentioned as one of the disatisfactions, that caused the march to London.

See also the disatisfactions of the Armie annexed to the Engagement. pag. 19, 20.

for our Arrears of provision for present pay, to inable the Army to subsist, without burthening the distressed Country. And in respect to the rights and freedomes of our selves and the people, that we declared we would insist upon, we conceive there is no kind or degree of satisfaction given: there is no determinate period of time set when the Parliament shall certainly end: The house is in no measure purged, either from persons unduly elected, or from Delinquents, that appeared to be such at the Armies last insisting upon their rights, or since: the *b* honour of the Parliamentary authoritie not cleared, and vindicated from the most horrid injustice, of that Declaration against the Army for petitioning, nor of suppressing and burning Petitions, abusing and imprisoning Petitioners: But those strange presidents remaine upon Record, to the infamy of Parliamentary authority; and the danger of our own and the peoples freedomes: The people are not righted, nor satisfied in point of accompts, for the vast summes of money disbursed by them: None of the publique burthens, or oppressions, by arbitrary Committees, *c* injustice in the Law, Tythes, Monopolies, and restraint of free trade, burthensome Oathes, inequalitie of Assessements, Excize, and otherwise are removed or lightned, the rights of the people in the Parliament, concerning the nature and extent of that power, are not cleared and declared. So that we apprehend our own & the peoples case, little (if in any measure) better since the Army last hazarded themselves, for their own and the peoples rights and freedomes. Nay, to the griefe of our hearts, we must declare, that we conceive, the people and the Armies case much impaired, since the first Randezvouz at *New Market*, when that solemne ingagement was entred into: And that from the consideration.

That the Armies Engagement, Representations, Declarations, and Remonstrances, and promises in them contained, are declined, and more and more dayly broken, and not only in some smaller matters wherein the Armie and the Kingdome are not so neerly concerned, but in divers particulars of dangerous consequence to the Army and the whole Nation. As,

First, In the Engagement, pag. the 5 the Armie promised every Member thereof each to other, and to the Parliament and Kingdome, that they would neither disband nor divide, nor suf-

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fer themſelves to be disbanded or divided untill ſatisfaction ſhould be given to the Army in relation to their grievances, and deſires: and ſecuritie that neither the Army nor the free borne people of *England*, ſhould remaine ſubiect to ſuch injuries, oppreſſion, and abuſe, as the corrupt party in the Parliament then had attempted againſt them.

Secondly, The Traine of Artillery is now to be disbanded, before ſatisfaction or ſecuritie is given to the whole Army in relation to themſelves, or other the free borne people, either in reſpect to their grievances or deſires. And when the ſtrength or ſinewes of the Army be broken, what effectuall good can be ſecured for themſelves or the people in caſe of oppoſition?

Thirdly, The Army is divided into quarters ſo farre diſtant, that one part is in no capabilitie to give timely aſſiſtance to another, if any deſigne ſhould be to disband any part by violence ſodainly, although neither our grievances nor deſires as Soldiers or Commoners, are redreſſed or anſwered. And as we conceive this dividing of the Army before ſatisfaction or ſecuritie as aforeſaid, to be contrary to the Armies intention in their Engagement, at the ſaid Randezvouz, ſo we conceive it hath from that time given all the advantage to the enemies, to band and deſigne againſt the Armie, whereby not only pay hath been kept from the Soldiers, and ſecuritie for arrears prevented, but the kingdom was indangered to have been imbroyled in blood, and the ſettlement of the peace and freedome of the Nation, hath been thus long delayed.

The whole intent of the Engagement, and the equitable ſenſe of it, hath been perverted openly, by affirming, and by ſinniſter meanes making ſeeming determinations in the Counſell, that the Army was not to inſiſt upon, or demand any ſecuritie, for any of their own or other the free borne peoples freedoms or rights, though they might propound any thing to the Parliaments conſideration; and according to that high breach of their Engagement, their actions have been regulated, and nothing that was declared formerly, to be inſiſted upon, hath been reſolvedly adhered to, or claimed as the Armies or the peoples due, and we conceive it hath been by this meanes, that the Soldier hath had no pay conſtantly provided, neither is there any ſecuritie for Arrears

V. His Excellencies letter to the City ſent from *Royſton*, *June* 16.

reers obtained, nor did the Army ever obtaine, ſo much as to bee paid up equally with thoſe that did deſert the Army, becauſe it was not poſſitively inſiſted upon, although in the Remonſtrance of *June*, 23. pag. 11. It was declared, that it ſhould be inſiſted upon reſolvedly, to be done before the *Thurſday* night after the ſending that Remonſtrance, and its now many moneths ſince.

The pay ſince received hath not been ſo much as ſince accrued to be due in courſe, and therefore that anſwers not the three moneths Arreers that was paid to the deſerters of the Armie.

Fourthly, In the proſecution of this breach, there hath been many diſcouragements of the Adjutators of the Regiments, in conſulting about the moſt effectuall meanes, for procuring the ſpeedy redreſſe of the peoples grievances, and clearing and ſecuring the native rights of the Army, and all others the free Commons.

It hath been inſtilled into them, that they ought not to intermeddle with thoſe matters, thereby to induce them, to betray the truſt the Regiments repoſed in them, and for that purpoſe, the endeavours of ſome, hath been to perſwade the Soldiery, that their Agitators have medled with more, then concerned them. In the Declaration of *June* 14. pag. *It* was declared that the Army would adheare to their deſires of full and equall ſatisfaction in Arreers, Indempnity, and all other things mentioned in the papers, that contained the grievances, diſatisfactions and deſires, * of the Soldiery to the whole Soldiery of the Kingdome, who did then, or ſhould afterward concurre with this Army in theſe deſires.

It was declared to be one of the chiefe grounds of diſcontent, if any part of the Armie ſhould be diſbanded before ſatisfaction was given to the whole, See the Engagement pag 3. and the Armies firſt grievances, and are notiall that concurred with the Armie in the ſame condition.

But many thouſands who have concurred with this Army, are now to be ſent for *Ireland*, or to be disbanded with two moneths pay, before any ſecuritie for Arrears, or ſufficient Indempnitie, or any ſatisfaction to any deſires as Soldiers or Commoners, then propounded; ſo now our Declaration is forgotten, and the faith of the Army, and his Excellency broken, for it may be remembred, that his excellency often promiſed, that the ſame care ſhould be taken for thoſe, that concurred, that ſhould be for this Army, therefore if this courſe be driven on, what better can wee expect for our ſelves in the end?

Sixtly, In the ſame Declaration, *June* 14. pag. 6. it is declared that the Army took up Armes, in judgement and conſcience, for the peoples juſt rights and liberties, and yet as mercenary Souldiers, hired to ſerve an arbitrary power of the State, and that

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in the ſame manner it continued in armes at that time, and pag. 7. of the ſame Declaration, it was declared that they proceeded, upon the principles of right and freedome, and upon the law of nature and Nations,: But the ſtrength of the endeavours of many hath been, and are now, ſpent to perſwade the Soldiers and Agitators, that they ſtand as Soldiers only to ſerve the State, and may not as free Commons claime their right and freedome as due to them, as thoſe ends for which they have hazzarded their lives, and that the ground of their refuſing to disband, was only the want of Arrears and Indempnitie.

Seventhly, In the Remonſtrance *June* 23. pag 14. compared with pag. 15. it was declared, that ſuch extraordinary courſes ſhould be taken as God ſhould direct & enable them thereunto, to put things to a ſpeedy iſſue, unles by the *Thurſday* then imediately following, aſſurance and ſecuritie were given to the Army and *Kingdome*, that the things defired in the Declaration, *June* the 14 ſhould be ſpeedily granted and ſetled.

But there hath been ever ſince, a totall neglect of inſiſting poſſitively upon the redreſſe of thoſe grievances, or granting thoſe deſires of the Army as Soldiers. That the Declaration of *June* the 14. pag. the 3. refers unto, as formerly expreſſed, and not ſo much as one of thoſe deſires, as Commoners of *England* in the behalfe of themſelves, and others Propounded in the ſame Declaration, pag. 6. 9, 10, 11. hath been inſiſted upon poſſitively, neither ſetting a determinate period, wherein the Parliament ſhall certainly end, nor purging the Houſe, nor clearing the rights of the people, in petitioning, nor the righting of them in accounts, &c. ſo that by theſe declinings of the Army, from inſiſting reſolvedly upon the peoples, and the Armies own rights, both are after long expectations, as farre from right and freedome, as though there had been no man to plead p their cauſe. And herein it is to be obſerved, that the neglect of inſiſting upon our moſt juſt deſires, hath given ſuch ſecret incouragement, that they ſhuffle off any deſires, though propounded, as to be inſiſted upon, as may be mentioned in that our juſt deſires, of recalling publiquely the Declaration, inviting all to deſert the Army, and profeſſed to be inſiſted upon, in the ſame Declaration, *June* 23. pag. 11 which notwithſtanding to this day was never publiquely recalled, ſo likewiſe the deſire

Viz. declaration *June* 14. pag. 4.

Viz. the Armies repreſentation of diſatisfaction *June* 4. 5. page 19.

of

of vindicating the Parliaments honour, in relation to a publique disowning the order to suppresse our first Petition, and many others.

The parliament & *Scots* Commissioners long since resolved that satisfaction and securitie was to be given to the people in relation to those publike ends for which they expended so much treasure and blood, before the King should be provided for this is hinted in the Remonstrance signed *Kingstone*, page 11.

Eightly, In the declaration of *June* 14. pag. 10. as in all other Remonstrances and Declarations, it was desired, that the rights and liberties of the people might be secured, before the Kings busines should be considered. But now the grievances of the people are propounded to be considered after the restoring him to the regall power, and that in such a way according to the proposals *viz.* with a negative voice, that the people that have purchased by blood what was their right, of which the King endeavoured to deprive them, should yet solely depend on his will, for their reliefe in their grievances and oppressions, and in like manner the securitie for the Armies Arrears, is proposed to be considered after the businesse of the King be determined, for that there is a totall declension since the method formerly desired, in the setling the peace of the Nation.

Ninthly, It hath been alwayes professed and declared, that the Army was called forth and conjured by the Parliaments Declarations, for defence of the peoples rights, against the forces raised by the King, and for delivering the King from his evill Councell, who seduced him to raise the war, and bringing Delinqueurs to condigne punishment. But now through the Armies countenance and indulgence, those conquered enemies, that were the Kings forces, abuse, reproach, and againe insult over the people, whose freedome was the grounds of the Armies engagement, yea, the Kings evill Councellors, that concurred in designing all the mischiefes in the Kings late warre against the people, are againe restored to him, and are admitted free accesse without check into all the Armies quarters, whereby they are restored to a capacitie of plotting and designing mischiefe against the Armie and kingdome.

Tenthly, When imminent ruine to the whole nation was apprehended, by meanes of the multitudes of corrupted Members in Parliament, diverting and obstructing all good proceedings; then the purging of the House, in part from one kind of Delinquents, was againe insisted upon, and a solemn Protestation was passed in the remonstrance from *Kingstone*, pag. 21. That the

Army

Armie would not permit those to sit in the House, that usurped the name and power of Parliamentary authoritie, when the Parliament was by violence suspended, and endeavoured to raise a warre to distroy the Parliament and Army, but that they would take some effectuall course to restraine them from sitting there, that the people might be concluded only by those Members that are free from such apparant treacherous breaches of their trust.

But hitherto this Engagement for purging the House from those Delinquents, whose interest ingages them to be designing mischiefe against the people and Army, is declined and broken to the black reproach and foulest infamie of the Army, and now these strong cords are cut in sunder and so forgotten, that there are no visible endeavours or intentions, to preserve the honour of the Armie, in its faithfullnesse to its Engagement and Protestation.

Thus all promises of the *Armie* to the people that Petitioned his Excellencie and the Army to stand for the National interest, freedomes and rights, are hitherto wholly declined, and the law of nature and nations now refused by many to be the rule by which their proceedings should be regulated, they now strip themselves of the interest of English men, which was so ill resented when it was attempted, by the mallice of the enemies. * And thus the peoples expectations that were much greatned, and their hopes of reliefe in their miseries and oppressions which were so much heightned are like to be frustrate, and while you looke for peace and freedome, the flood-gates of slaverie, oppression and miserie are opened upon the Nation, as may appeare by the present manifold dangers that incompasse about the Army and the whole Nation.

* See his Excel. lencies letter to the City, dated *Iu.* 10. pag. 4.

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The mischiefes, evills and dangers, which are and will be the necessary consequence of the Armies declining or delaying the effectuall fulfilling of its first Engagement, Promises and Declarations or of its neglect to insist positively upon its first principles of common right and freedome.

WHereas its now many moneths since the Army declared (in answer to the Petitions of divers Counties, and from the sense of an absolute necessitie thereof.) that they would insist upon the peoples interest, as in the Declaration of *June* 14 pag. 13. And yet no reliefe for the people in any of their oppressions, by arbitrary powers, Monopolies, injustice in the proceeding at Law, Tythes, Excize, &c. is effectually procured, nor any greater probabilitie of future helpe is visible then was before, no foundations of freedome being yet laid; and yet the Soldiery burthening the country with free quarters and occasioning greater taxes. These five mischiefes and dangers ensue inevitably.

Long since then also they professed that they hoped God would cleare it, that they have acted the kingdomes and every honest mans interest. viz. the Remonstrance from Kingstone pag. 12.

First, The love and affection of the people to the Armie, which is (an armies greatest strength) is decayed, cooled and neere lost, its already the common voice of the people, what good hath our new Saviours done for us? What grievances have they procured to be redressed? Wherein is our condition bettered? or how are we more free then before?

Secondly, Not only so, but the Army is rendred as an heavie burthen to the people, in regard more pay is exacted dayly for them, and the people find no good procured by them, thats answerable or equivolent to the charge, so that now the people begin to cry lowder for disbanding the Army then they did formerly for keeping us in Armes, because they see no benefit accruing, they say they are as likely to be oppressed and inslaved both by King and Parliament, as they were before the Armie engaged, professedly to see their freedomes cleared and secured.

Thirdly, Whilst the peoples old oppressions are continued, and more taxes also are imposed for pay for the Army, they are disabled dayly more & more for the mantaining of an Army for their preservation, for they beginne to say, they can but be distroyed by oppression

oppreſſion, and its all one to them, whether it be by pretended friends or profeſſed Enemies, it were as good, ſay they, that the King ſhould rule againe by prerogative, we were ſlaves then to his will, and we are now no better, we had rather have one tyrant then hundreds.

Fourthly, By this meanes, diſtractions, diviſions, heart burnings and jealouſies are increaſed, to the imminent danger of ruine to the Army and kingdome, the people are inclined to tumults, crying out, will none procure reliefe for us? ſhall we alwayes be deluded with faire words, and be devoured by oppreſſors? we muſt ere long riſe up in armes, and every one catch what he can: thus confuſion is threatned.

Fiftly, The Army is expoſed to contempt and ſcandall, and the moſt black reproaches, and infamies are caſt upon them, the people ſay, that their reſolutions not to disband, were becauſe they would live idlly on the peopies labours, and when the Soldiers are conſtrained to take free quarters, this (ſaith the people) is for freedome, and right, to eate the bread out of our childrens mouths: ſo that many Soldiers are athamed of themſelves, and feare that the people ſhould riſe to diſtroy them: you will doe nothing for us (ſay they) we are vexed by malignant Iudges, for conſcience ſake, by arbitrary Committees in the Country, and at Parliament ordering one thing this day, and recalling it the next, to our intollerable vexation; injuſtice in the law is the ſame, and we buy our right at as deare a rate as ever, Tythes are inforced from us double and threble Excize continues, we can have no accompts, of all our moneys disbutted for the publike, more is dayly required, and we know not what is become of all we have paid already, the Soldiers have little pay, and the maimed Soldiers, Widowes, and Orphans, are thruſt upon us to be parriſh charges.

Sixtly, Whereas the Engagement is broken, and the firſt principles deſerted or neglected, theſe miſchiefes and dangers have enſued.

Seventhly, The enemies are incouraged and imboldned to proceed in prejudice to the people & the Army as formerly: they may receive hopes upon the armies own words in their generall Councels, that the army will not oppoſe or diſturbe them in their proceedings, to deprive

* They formerly prevailed and proceeded in that way viz. Del. offered to the Commiſſioners at *Suffron Walden.*

deprive the Armie and people of their native rights, for if they can abuse the Parliament, or surprize them as formerly, they may say for themselves, the Armie hath declared, that they stand only as Soldiers, and will not insist upon any positive demand of their own and the Nations freedomes, and was it not this that imboldned the enemies formerly to suppresse our first petition, and declare us enemies, for petitioning? they thought we would have stood only as mercenary Soldiers, hired to serve their arbitrary power, and not remembred that we by their invitation took up armes in judgement and conscience, to preserve the nation from tyrannie and oppression, and therefore were obliged to insist upon our rights and freedomes as Commoners, and surely it hath been upon this ground, that they kept us without money so long, thinking we would not or durst not insist upon our demands of that which is due to us; and upon this ground we judge the Parliament hath proceeded of late to increase the peoples oppressions, by an Ordinance for trible dammages, to be paid by all that refuse, (though for conscience sake) to pay Tythes, and an Ordinance to lock up the printing presses against whom they please, which was in the Bishops time complained of, as one of the great oppressions, and have slighted just petitions, and neglected to consider and redresse the prisoners grievances and oppressions, and the sufferings of conscientious persons, by the unjust statutes against Convinticles so stiled, and statutes for Common prayer Book, and enforcing all to come to Church, and all other the peoples grievances.

2. From the Armies declining their first principles, the same corrupt Members remaine in Parliament that caused the Army to be proclaimed enemies for petitioning, and its to be observed, that through the influence of those in the House, there was never any publike vindication of the Armys honour, and of the justice of their petitioning at that time, and can the Armie be safe, so long as its old declared enemies are in power, and doe but watch the fittest opportunitie to worke any mischiefe, but not only those enemies remain in power, and watch to distroy you, but 45. at least that lately voted and endeavoured to raise a new war, to distroy the Army, are suffered to vote in the Parliament, though the Army hath protested solemnly, they would not suffer those

* viz the Remonstrance from Kingston August 18, pag. 21.

usurpers

usurpers to sit there, or that they would be concluded by those that were coactors in to such treasonable breaches of their trust.

3. Through the Armies dividing contrary to the Engagement, and neglecting to insist upon the first declaration, the enemies have had power and opportunitie, to prevent them of their constant pay, and obstruct all proceedings to securitie for arrears, whereas otherwise the enemies would not have dared to presume to obstruct good proceedings, and to prosecute their designes against the armie.

4. Through the armies back-sliding from the Remonstrance, and Protestation from *Kingstone*, *August.* 18 those that lately endeavoured to raise a warre against the *Parliament* and Army, continue in the House, and have passed an Ordinance, wherein those betrayers of their trust are acknowledged to have been a House of *Parliament*, when the *Parliament* was forced away and suspended, and the Armie having declared them to be no *Parliament*, and his Excellencie slighted their command, at *Colebrooke*, professing he knew no Parliament, to which he should send, are by this made guilty of the highest treason, and so a snare is laid for his Excellencie and the Army, that when the enemies shall have the advantage, they may be declared traytors, for declaring against the Parliament, and disowning their authoritie, so that if some speedy remedie be not applyed, no man knowes how soon the enemie may prevaile to distroy his *Excellency*, the Armie and kingdome by this meanes. and the pollicie of the enemie is to be observed, that they would never suffer that Declaration to be debated in the House, that was published at the Armies marching towards London, wherein those that usurped the power of a Parliament, when the Parliament was suspended, were declared to be no legall Parliament, but the Declaration and Remonstrance of *August* 18, wherein the Armie protested against the sitting of those usurpers in the *House*, may together be made the ground of their declaring us Traytors upon any advantage, for disowning, and declaring against the supreame authoritie of the Nation, in case those usurpers shall continue to be acknowledged a house of Parliament as it remaines at present by the late Ordinance of *August* 20. procured to be passed by those Vsurpers themselves sitting Judges of their own cause.

* viz. Dec. shewing the reasons of their last march unto London pag. 9.

5 By this neglect and declining of the Army, The Parliament is returned to their old delatory way of proceeding, neither insisting upon the relieving the people speedily and effectually, in any of their grievances, nor providing constant pay for the Army, nor securitie for arreers, so that the delayes that are occasioned through the Armies declining their first declarations are as distructive to the Armie and Kingdome as if there were direct actings against the Kingdomes peace.

6 Through the same declension of the Armies first principles, and the good and necessary method propounded for setling the nation in peace and freedome before the kings businesse be considered, the King is likely to recover his old capacity, before the peoples freedomes (which they have redeemed out of the hands of him & his forces by blood) be cleared and established securely, & likewise before any security be given for arreers, & then what probabilitie there is that then there should be any good securitie of pay obtained for the armie that conquered him, & for the freedomes of those that assisted them, let any rational man judge? And likewise by the same meanes, the armies and their assistants indempnitie, is propounded to receive its strength from the Kings consent; whereas not only his signing of, or consent to any act is wholly null and void in law, because he is under restraint, and so our indempnitie, will be insufficient, if it shall depend in the least, on his confirmation. But also its the highest disparagement to the supream authority of this Nation, the Parliament, that when they have commanded an armie upon service against the King, they should not have sufficient power to save them harmelesse for obedience to their commands, and also its the highest dishonour to the armie, that they should seeke to the conquered enemie to save them harmelesse for fighting against them, which is to aske him pardon, and so will remaine as a perpetuall reproach upon them.

7. Through the armies declining its first principles, to insist upon satisfaction and securitie as Soldiers & Commoners before disbanding or dividing the armie, is now likely to be so farre scattered into severall quarters, that it shall be in no capacitie to insist upon securitie for arreers, sufficient indempnitie or any of its own or the nations rights, in case they shall be still denyed them.

8. It

8. It is to be considered that the enemies on the one hand, and the other increase dayly in their boldnesse, confidence, and strength, whilest securitie for the armies arreers, and constant future pay (so long as it shall be continued) are not provided, and and the rights and freedomes of the people are not cleared and secured, & the armie may divide, in case one part should insist upon the first just principles, and be faithfull thereunto, and another part should by flatteries, preferments, feare or negligence decline or desert them, and let it be considered what strength that would adds to the enemies, and how far it will indanger the ruine of the armie and kingdome.

Now we cannot but declare, that these sad apprehensions of mischiefes, dangers and confusion gaping to devoure the armie hath filled our hearts with troubles, that we never did, nor doe regard the worst of evills or mischiefes that can befall our selves in comparison to the consequence of them to the poore Nation, or to the security of common right and freedom, we could not but in (teall not formall fained) trouble of heart for the poore Nation and oppressed people, breake forth and cry, O our bowels! our bowels! we are troubled at the very heart to heare the peoples dolfull groanes, and yet their expected deliverers will not heare or consider, they have run to and fro, and sighed or even wept forth forth their sorrowes and miseries. in petitions, first to the King then to the Parliament, and then to the armie, yet they have all been like broken reeds, even the armie it selfe upon whom they leaned have pierced their hands, their eyes even faile with looking for peace and freedome, but behold nothing but distraction, oppression and trouble. and could we hope that helpe is intended, yet the people perish by delayes, we wish therefore that the bowells of compassion in the whole armie might yearne towards their distressed brethren, and that they might with one consent say each to other, come let us joyne together speedily to demand present redresse for the peoples grievances, and securitie for all their and our own rights and freedomes as Soldiers and Commoners. Let us never divide each from other till those just demands be answered really and effectually, that so for the peoples ease as many forces as are not absolutely necessary may be speedily disbanded and our honour may be preserved unspotted, when they shall see,

that we minded not our own intereſt, but the good, freedome, and welfare of the whole Nation. Now to all that ſhall thus appeare we propound.

That whatſoever was propoſed to be inſiſted on either, in the the Declaration of *June* the 14. or the Remonſtrance *June* 23 and in the Remon. from *Kingſtone*, *Auguſt* 18. be adhered to reſolvedly, ſo as not to receed from thoſe deſires, untill they be throughly and effectually anſwered: more particularly, that whereas it appeares by poſſitive lawes and antient iuſt cuſtomes, that the people have right to new ſucceſſive elections for Parliaments at certain periods of time, and that it ought not to be denyed them, being ſo eſſentiall to their freedome, that without it they are no better then ſlaves, the nature of that legiſlative power, being arbitrary: and that therefore it be inſiſted on ſo poſſitively, and reſolvedly, as not to recede from it.

1. That a determined period of time, be forthwith ſet, wherein this Parliament ſhall certainly be deſolved, provided alſo that the ſaid period be within 9. or 10. moneths, next enſuing, that ſo there may be ſufficient time for ſetling of peace and freedome.

2. Whereas all good is obſtructed and diverted by the power & influence of Delinquents the late uſurpers, & undu elected ones in the Parliament, that therfore it be poſſitively & reſolvedly inſiſted on; that the houſe be forthwith purged, from al that have forfited their truſt or were unduly elected, but eſpecially that an order be paſſed forthwith, for the expelling all thoſe from the houſe, who ſate in the late pretended Parliament, & that likewiſe a ſevere penalty be ordered to be impoſed on every of thoſe uſurpers that ſhall preſume to ſit in the Houſe, for the paſſing of ſuch an order, before they ſhall have given ſufficient evidence, that they neither voted for a new warre, or for the Kings comming to London upon his own tearmes.

3. Whereas his Excellencie & the whole armie, were guilty of the higheſt treaſon if the pretended Parliament had been a legall Parliament, and its apparent that they were no legall Parliament, that therefore it be poſſitively and reſolvedly inſiſted upon, that the Declaration of the army upon their laſt match up to London be forthwith publikely owned, and approved of by the Parliament, and that the ſame publique approbation be Paſſed upon the Remon, and proteſt ſent from *Kingſtone Auguſt* 18. 4.

5. Whereas Parliaments rightly constituted are the foundation of hopes of right and freedome to this people, and whereas the people have been prevented of Parliaments, though many possitive lawes have been made for a constant succession of Parliaments, that therefore it be possitively and resolvedly insisted upon, that a law paramount be made, enacting it, to be unalterable by Parliaments that the people shall of course meet without any warrants or writs once in every two yeares upon an appointed day in their respective Countryes, for the election of the representors in Parliament, and that all the freeborn at the age of 21. yeares and upwards, be the electors, excepting those that have or shall deprive themselves of that their freedome, either for some yeares, or wholly by delinquency, and that the Parliament to elected and called, may have a certaine period of time set, wherein they shall of course determine, and that before the same period they may not be adjurnable and dissolvable by the King, or any other except themselves.

Whereas all power is originally and essentially in the whole body of the people of this Nation, and whereas their free choice or consent by their Representors is the only originall or foundation of all just government, and the reason and end of the choice of all just Governors whatsoever is their apprehension of safety and good by them, that it be insisted upon possitively. That the supreame power of the peoples representors or Commons assembled in Parliament, be forthwith clearly declared as their power to make lawes, or repeale lawes, (which are not, or ought not to be unalterable) as also their power to call to an account all officers in this Nation whatsoever, for their neglect or treacheries in their trust for the peoples good, and to continue or displace and remove them from their offices, dignities or trust, according to their demerrits, by their faithfulnesse or treachery in the businesse or matters where with they are intrusted. And further, that this power to constitute any kind of governors or officers, that they shall judge to be for the peoples good, be declared, and that upon the aforesaid considerations it be insisted upon, that all obstructions to the freedome and equallitie of the peoples choice of their Representors, either by Pattents, Charters or usurpations, by pretended customes, be removed by these present Commons in Parliament, and that such a freedome of choice be provided for, as the people may be equally represented. This power of Commons in Parliament, is the thing against which the King hath contended, and the people have defended

with their lives, and therefore ought now to be demanded as the price of their blood.

That all the oppreſſions of the poore by Excize upon Beare, Cloath, Stuffes, and all manufacturies, and Engliſh commodities; be forthwith taken off, and that all Excize be better regulated, and impoſed upon forraign commodities, and a time ſet wherein it ſhall certainly end, if there be a neceſſity of its preſent continuance on ſuch commodities.

3. Whereas the people have disburſed ſuch vaſt ſums of money, by Pole-money, Subſidies, propoſition money, Contribution, the five and twentieth part, viewes and reviewes of the ſame monethly aſſeſſements, Excize, and other wayes, and ſuch vaſt ſums have been collected and enforced by Sequeſtrations, Compoſitions, ſale of Biſhops lands, and other wayes, that the whole charge of the forces by ſea and land might have been defrayed to the utmoſt farthing, and yet many millions of money remained of all that have been disburſed freely, or enforced had been faithfully brought into the publike treaſury, and improved for the publique uſe, only therefore that in reſpect to the peoples right, and for their eaſe, and for better and more eaſie proviſion of money for the Soldiery, that it be inſiſted upon poſſitively, that faithfull perſons be choſen to receive accounts in every part of the kingdome, eſpecially conſidering that former Committees for accounts were conſtituted in a time when corrupt men over poured the Parliament, and yet they have done no ſervice in diſcovering moneys ſince their conſtitution, and herein its to be inſiſted on that all without diſtinction, as well parliament men as others, may be equally accountable to perſons choſen for that purpoſe.

Now herein its further to be inſiſted on, that whereas the time was wholly corrupt when perſons were appointed to make ſale of Biſhops lands, and whereas Parliament men, Committee men, and their kinſfolkes were the only buyers, and much is ſold, and yet its pretended, that little or no money is received, and whereas Lords, Parliament-men, and ſome other rich men, have vaſt ſums of arreers allowed them in their purchaſe, and all their moneys lent to the ſtate paid them, while others are left in neceſſitie, to whom the ſtate is much indebted, and ſo preſent money that might be for the equall advantage of all, is not brought into the publique Treaſury by thoſe ſales. Its therefore to be inſiſted on, that the ſale of Biſhops lands be received, and that they may be ſold to their worth, and for preſent moneys, for the publike

uſe

uſe, and yet the ſale of all ſuch be recalled, as have not been ſold to their worth, or for preſent moneys.

And it is further offered in conſideration that the Court have occaſioned the late warre, and reduced the ſtate to ſuch neceſſity, by cauſing ſuch vaſt expence of treaſure, that therefore whereas the many oppreſſions of the people, and the danger of abſolute tyrany, were the occaſion of the expence of ſo much blood, and whereas the people have bought their rights and freedomes, by the price of blood, and have in vaine waſted long ſince, the common enemie, hath been ſubdued for the redreſſe of their grievances and oppreſſions, that therefore it be demanded as the peoples due, which ought not to denyed to the Army or to them yet ſeeing the King hath his Court and lives in honour, yet before his buſineſſe be further conſidered, becauſe the people are under much oppreſſion and miſery, it be forthwith the whole worke of the Parliament, to heare conſider of, and ſtudy effectually redreſſe for all common grievances and oppreſſions, and for the ſecuring all other the peoples rights and freedomes, beſides all theſe afore mentioned, and in particuler.

Firſt, that all the orders, votes, ordinances or declarations, that have paſſed either to diſcountenance petitions, ſuppreſſe, prevent or burne petitions, impriſon or declare againſt petitioners, being dangerous preſidents againſt the freedom of the people, may be forthwith expunged out of the Journall books, & the injuſtice of them clearly declared to all the people, and that in ſuch a declaration the ſoldiery be vindicated, as to the right and equity of their firſt petition, all thoſe large ſummes of money that were allowed to needleſſe pretended Officers of the Court which did but increaſe wickedneſſe and prophaneneſſe, may be reſerved for a publiqve treaſure to be extended in paying thoſe Lords that muſt be maintained, for the peoples ſafety, and whereas there is now 50 l. *perdiem*: allowed for the court, who offered that there might be 300 l. *perdiem*: allowed for the court, to be paid out of the publique treaſury, through a good and faithfull improvement of al the Lands pertaining to the Court, there muſt be as much reſerved for leaving publique charges, and eaſing the people.

And its further offered, that whereas millions of money, have been kept in deads ſtock in the City of *London* the Hals and Companies, and the free men of the City could never obtaine any account thereof, according to their right. That therefore a juſt and ſtrict account may be ſhorthwith given to all the freemen of any thoſe dead ſtocks, and yet

whereas

whereas there hath been nothing paid out of those, nor for the lands pertaining to the City, whiles the estates of others have been much wasted, by continuall payments, that therefore proportionable summs to what other estates have payd, may be taken out of those dead stocks, and lands which would amount to such vast sums, as would pay much of the soldiers arreares, without burthening the oppressed people.

And its further offered, that forrest lands, and Deanes and Chapters lands, be immediately set apart for the arreats of the Army, and that the revenue of these and the residue of Bishops lands unsold till the time of sale may be forthwith appointed to be paid unto our Treasury, to be reserved for the soldiers constant pay. And its to be wished that only such part of the aforesaid lands be sold as necessity requires, to satisfie the soldiery for arreares, and that the residue be reserved and improved for a constant revenue for the State, that the people may not be burthened, and that out of the revenues publique debts may be paid, and not first taken out of their own purses to be repayed to them.

And its further offered for the peoples ease, that the arreers of all former assessements be duly collected from those who have sufficient estates, and have not been impoverished by the warre.

And whereas its conceived that the fees of receivers of customes and Excize if they were justly computed, would amount to neere as much as the Armies pay, its therefore offered that speedy consideration be had of the multitude of those officers and their excessive fees, and profits, as 600. 800. 1000. 1200. *per annum*. As also that many Excize men appoint whom they please for their substitute, and allow what they please for their pay, that the officers may be few, and constant stipends allowed them, none exceeding 200. l. *per annum*, that so more moneys may be brought into the publike treasury.

And for the ease and satisfaction of the people, its further to be insisted on, that the charge of all the forces to be kept up in the kingdome by sea or land, be particularly computed and published, and that all taxes that shall be necessary, may be wholly proportioned, according to that charge; and that there be an equall rate propounded throughout the kingdome in all assessements, that so one town may not beare double the proportion of another of the same value.

4. That all Monopolyes be forthwith removed, and no persons whatsoever may be permitted to restraine others from free trade.

5. That the most sad oppressions of prisoners be forthwith eased and removed, and that no person that hath no estate reall or personall, nor any person that shall wilfully yeeld up his estate to satisfie his creditors may be detained in prison to the ruine of their persons and families, and likewise, that no person imprisoned in a criminall cause, may be detained from his legall tryall any longer then the next terme.

6. That all Statutes, for the Common prayer book, and for enforcing all to come to

Church

Church, whereby many religious and conscientious people are dayly vexed and oppressed, be forthwith repealed and nulled. As also that all Statutes against Conventicles, under the pretence of which, religious people are vexed for private meetings about the worship of God, may be likewise repealed and nulled.

7. That all the oppressive statutes, enforcing all persons though against their consciences to pay Tythes, whereby the husbandman cannot eate the fruit of his labours, may be forthwith repealed and nulled.

8. That all statutes enforcing the taking of oaths, as in townes corporate, the oath of Supremacy, &c. Wherein either the whole oaths, or some clauses in them, are burthens, and snares to conscientious people may be repealed and nulled.

9. That it be declared that no person or Court shall have power or be permitted to enforce any person to make oath, or answer to any Interrogatories concerning himself, in any criminall case.

10. That a Committee of conscientious persons be forthwith selected to consider of the most intollerable oppressions by unjust proceedings in the law, that with all the lawes might be reduced to a smaller number, to be comprized in one volume in the the English tongue, that every free Commoner might understand his own proceedings, that Courts might be in the respective Counties or Hundreds, that proceedings might become short and speedy, and that the numberlesse grievances in the law and Lawyers, might be redressed as soone as possible.

11. That all priviledges and protections above the law, whereby some persons are exempted from the force and power thereof, to the insufferable vexation and ruine of multitudes of distressed people, may be forthwith abrogated.

12 That all the antient rights and donations belonging to the poore, now imbezled and converted to other uses, as inclosed Commons, Alms houses, &c. throughout all parts of the land, may be forthwith restored to the antient publique use and service of the poore, in whose hands soever they be detained.

Many other grievances are and ought to be redressed, but these as they are propounded, we conceive might be in a very short time redressed to the reliefe of many distressed ones, and to a generall ease; or at least, put into a way, wherein there might be visible hopes of remedie, and therefore these might be demanded as due to the people, though we desire the Counties might be encouraged to represent all their other grievances also for speedy redresse.

7. Generall head. That it be insisted on, that such Indempnitie be forthwith given both for the Soldiery and all that gave them assistance, and shall provide securely for their quiet, ease and safety, and prevent all chargeable journeys to London, to seek after and waite upon Committees.

8. That in some of the fore mentioned wayes, security be given for arreers forthwith, that as soone as the rights and freedomes of the people be secured according as its hereupon propounded, and the other desires of the Army in relation to their particular freedome from pressing; and provision to be made in a certaine and no dishonourable way for maimed Soldiers, Widowes, and Orphans, that shall continue during their lives, then the Armes may be disposed into the hands of the faithfull well affected of the Nation, which may be so formed into a military posture, as to be ready on all occasions of service, and as many of the forces that

are

are kept in constant pay, as shall not be absolutely necessary for the preservation and safety of the people, may be as speedily as possible disbanded, that they may not be a burthen to the Nation.

9. Whereas mercy and justice are the foundations of a lasting peace, its necessary to be insisted on (for the healing differences as far as possible,) That all those whose estates have been sequestered, and yet were not in armes for the King, or gave any actuall assistance to him in men, money, or armes, plate, horse, &c. in the late warre, that all such be discharged forthwith from their sequestrations, and that all such as have compounded, may not be enforced, to pay the five or twenteth part, seeing their whole estates were so long under sequestration: and that all those that have not compounded, who were in Armes for the King, may be compelled forthwith to compound, provided, that their Compositions be so moderate, as none may exceed two yeares revenue, that their families be not ruined, and they put upon desperate attempts against the peace of the Nation to preserve themselves.

These things propounded are no more then what we conceived, should have been thoroughly done long since, being as to the principall of them but this substance and equitable sense of the former declarations, Remonstrances? and representations, and therefore though our restlesse desires of the peoples good, and of the welfare of the Army, have constrained us thus publiquely to state our case, and the remedie according to the best improvement of the small Tallent of understanding that God hath given freely to us. Yet let not the matter be prejudged because of the unworthy Authors, neither let it be thought presumption. It may be remembred that the Fathers danger made a dumb child to speake, and the Armys yea all the peoples dangers and miseryes have wrested open our mouthes, who had otherwise been silent in this kinde to the grave, and let it not be thought that we intend the division of the Army, we professe we are deeply sensible and desire all our fellow soldiers to consider it.

In case the union of the Army should be broken, (which the enemie waite for,) ruine and destruction will breake in upon us like a roaring sea, but we are much confident that the adhearing to those desires and to that speedy way of attaining our just ends for which we first ingaged, cannot be interpreted to be a desire of division, but the strongest vigorous endeavours after union, and though many whom we did betrust have been guilty of most sapine negligence, yet we expect that the same instruction of judgement and conscience that we have all professed, did command us forth at first for the peoples Freedome will be againe so effectuall, that all will unanimously concurre with us, so that a demand of the peoples and Armyes rights shall be made by the whole Army as by one man, that then all the enemies to, or obstructors of the happy settlement of common right, peace and freedome, may be are of our union and resolution. and their hands may be weake, and their hearts may fayle them, and so this Army that God hath cloathed with honour in subduing the common enemie, may yet be more honourable in the peoples eyes, when they shall be called the Repayrers of their breaches, and the restorers of their peace, right, and freedome.

And this is the prayer, and shall alwayes be the earnest endeavours of.

The Armie and all the peoples most faithfull servants,

Lievt. Gen. { *Robert Everard.* / *George Sadler.* } Com. Gen. { *George Garrett.* / *Thomas Beverly.* } Col. Fleetwood.

{ *William Prier.* / *William Bryan.* } Col. Whalyes. { *Matthew Wealy.* / *William Russell.* / *Richard Seale.* } C. Riches. { *John Dober.* / *William Hudson.* / Agitators. }

Gilford, October 9. 1647.

FINIS.

A Copy of a letter from the Agents of the aforesaid five Regiments of Horse, unto His Excellencie, Sir *Thomas Fairfax*.

May it please your Excellencie,

FRom the deep sense of our duty to God, to our native Country, to your Excellency, to this armie, and to our selves, and posterities to come, we find such obligations upon our consciences written naturally by the finger of God in our hearts, that we cannot behold the honour of God to be impaired, the workes of his hands the land of our Nativity, your Excellency, this army, our selves, or posterities, ready to be swallowed and devoured up in confusion, thraldome and ruine, and to sit still and not arise in the strength of his might, to contribute our best endeavours for the prevention thereof; for, God hath given no man a talent to be wrapt up in a Napkin and not improved, but the meanest vassell in the eye of the world is equally obliged and accomptable to God with the greatest Prince or Commander under the Sun, in and for the use of that talent betrusted unto him: and therefore we presume that your Excellencie (who does acknowledge your selfe a creature of, and servant to the same God) will not thinke it strange, or judge us disobedient or refractoy, that we should, as we have presumed, State the case of the army, how declined from its first principles of safety, what mischiefes are threatned thereby, and what remedies are suitable for prevention, which herewith we doe humbly present and offer unto your Excellencie; for, Sir should you, yea, should the whole Parliament or Kingdome exempt us from this service, or should command our silence and forbearance, yet could not they nor you discharge us of our duties to God, or to our own na-

ture, for we must be accomptable, and judgement will come for the deeds done in our flesh, whether good or evill; and he that hath not improved and put forth his talent to use, shall be bound hand and foot, and cast into the lake of eternal vengeance: therfore whether God or Man in this case must be obeyed judge you. So that we are bold from our sense of your Excellencies piety, honesty and uprightnesse to God and to your Country, that in this our discharge of our duties to both, we shall not incurre your displeasure or discountenance, but that you will freely commit us and the issue of our endeavours to God, and if it be of him it will stand; and from our consciences we attest, and protest in the presence of his all seeing diety, as we desire safety in this life, or in that which is to come, we have no other then cordiall and faithfull intents and resolutions to the undoubted safety and weale of our native country, to Parliaments, your Excellency, & to this army in this businesse represented in these inclosed papers & we do utterly abhor & renounce all secret or private designs or interest under the same, together with all that is contrary to the plain and usuall sense, expressed in the premisses thereof. And if by any one your Excellencie shall be suborned, that we are transgressors of all order and forme, and in that sense only to looke upon us. We desire to mind your Excellencie, that the law of nature and nations attested in our own publique Declarations and papers may be an answer to such for the justification of our present expedient, for all formes are but as shadowes and subject to the end, and the safety of the people is above all formes, customes, &c. and the equity of popular safety, is the thing which justifieth all formes or the change of formes for the accomplishment thereof; and no formes are lawfull longer then they preserve or accomplish the same. If our dutie binds us when we see our neighbours house on fire, to wave all formes, ceremonies or complements, and forthwith (not waiting for order or leave) to attempt the quenching thereof without further scruple, as thereunto called of God, we say if we be so obliged and called in the case of a particular, then much more are we obliged and called, when we behold the *Great Mansion house* of this *Common wealth*, and of this *Armie* (wherein all the families of the Nation are contained) *on fire*, all ready to be devoured with slavery, confusion and ruine, and

their

their nationall native freedome (the price of their treasure and blood) wrested out of their hands, as at this presens appeareth to our best understandings: And therefore in this exigencie and straight of extremity, we from the very dictates of Divinity, Nature and Reason ingraven in our hearts could not otherwise chuse (with quiet and peace to our consciences, (which no mortall man can take from us or suppresse the overpouring motives thereof) but consider with our selves, what we should doe to award those threatning mischiefes from this nation and army & to that end we had nothing more effectuall then to knit our selves together with this fixed resolution, to part with our lives and all that is neare and deare unto us, before we part with our freedome; and in relation thereunto we the Agents to five Regiments of your Horse, have after our weak manner in this our Representation directed to our respective Regiments and to the whole Army, discharged our duties; And we presume we haue not etred from the equitable sense of our solemn Engagement, or from the just maximes and matters contained in our Declarations, Remonstrances, &c. from the which we are resolved not to receed. Thus humbly craving your Excellencies favourable construction on our innocent intentions and endeavours, we (as we alwayes have been) cordially remaine.

Your Excellencies, and this Nations faithfull Servants and Soldiers, to stand or fall with you and it, for common Righe and Freedome.

Edward Trevers. } Lievt. Gen.
Edmon Bear. }

George Garret. *Jeremiah Cole.*	Com. Gen.
William Prior. *William Bryan.* *John Fletcher.*	Col. *Fleetwood.*
John Dober. *William Hudson.*	Col. Riches.
Matth. Wealey. *William Russell.*	Col. Whaleys.

Hempstead, October 15. 1647.

Wee appoint *Edmond Bear*, and *William Russell* aboveſaid, in our names to preſent this Letter together with our Repreſentation intituled, The caſe of the Army, &c. to his Excellency Sir *Thomas Fairfax.*

Vpon the preſentation to, and ſerious peruſall thereof by his Excellency, the ſum of his anſwer was to this effect. That he judged their intentions were honeſt, and deſired that every one of a publique ſpirit would be acting for the publique, and that for his part he had freely ventured his life for common right and freedome, and ſhould freely engage it againe, adding further, that hee thought it meet, it ſhould be preſented to the Generall Councell. *October* 18. 1647.